



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert Mandeville et al.

Group Art Unit: 2857

Serial No.: 09/864,929

Filed: May 24, 2001

For: NETWORK METRIC SYSTEM

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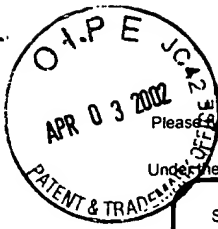
Pursuant to Applicant's duty under 37 C.F.R. Section 1.56 et seq., Applicant wishes to bring the references listed on the enclosed PTO/SB/08B to the attention of the Examiner prior to the consideration of the above-referenced patent application. The inclusion of any reference herein is not intended to be, and should not be construed as, an admission that the references are "prior art" with respect to Applicant's invention or that they render any of the pending claims prima facie unpatentable.

Because this Information Disclosure Statement is being filed prior to the first Office Action no fee has been enclosed. If any fees are due, the Commissioner is authorized to charge any fees that may be required by this paper to Deposit Account No.02-4270.

Respectfully submitted,

Dated: 3/25/02

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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	09/864,929
Filing Date	May 24, 2001
First Named Inventor	Robert Mandeillve
Group Art Unit	2857
Examiner Name	
Attorney Docket Number	4470/3

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1.	SMARTBITS - POS OC-48C SMARTMETRICS MODEULES, Brochure by Spirent Communications, Inc., 2001, USA, www.spirentcom.com	
	2.	SMART BITS, Spirent Communications, Inc., 2001, USA, www.netcomsystems.com	
	3.	HP INTERNET ADVISOR WAN DS3/E3 CELLS AND FRAMES MODULE HP J 3759A - Technical Specifications, Hewlett Packard Co., 1998, USA, www.HP.com/go/internetadvisor	
	4.	AGILENT TECHNOLOGIES - BQT PORTABLE ANALYZER - J1981A, Technical Specification, Agilent Technologies, Inc., 2000-2001, USA, www.agilent.com/comms/onenetworks	
	5.	FIREHUNTER, Brochure, Agilent Technologies, Inc., June 2000, www.firehunter.com	
	6.	HP OVERVIEW SOFTWARE SUITE, Hewlett-Packard Co., 2001, USA, www.hp.com	
	7.	NetVCR Data Sheet, NIKSUN, Inc., 2001, USA (www.niksun.com)	
	8.	ACTIVE APPLICATION ASSURANCE - QoSmart Technology, ip/anema Technologies, France (www.ipanematech.com)	
	9.	"Lucent Announces New VitalSuite Enterprise Performance Management," Lucent Technologies, Feb. 12, 2001 (qip.lucnet.com)	
	10.	Net Enforcer, Enterprise NetWork and Application Performance Management, Allot Communications Ltd., 2001, USA, www.alot.com	
	11.	BrixWorx: A System for Internet Service Level Verification, Brochure, Brix Networks, Inc., 2000, USA, www.brixnet.com	

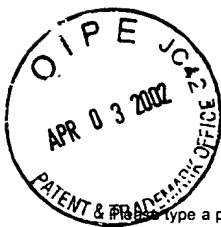
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/864,929
	Filing Date	May 24, 2001
	First Named Inventor	Robert Mandeville, et al.
	Group Art Unit	2857
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	4470/3

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Remarks		

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Firm or Individual name	Brown Raysman Millstein Felder & Steiner, LLP 1880 Century Park East, Suite 711 Los Angeles, CA 90067
Signature	<i>Brooke W. Quist</i>
Date	March 25, 2002

CERTIFICATE OF MAILING			
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